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Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 12-0119-SI

v.)

JOSEPH ORTIZ, et al.,)

Defendants.)

STIPULATION AND ~~PROPOSED~~ ORDER
TO PRESERVE ALL NOTES TAKEN BY
LAW ENFORCEMENT OFFICERS AND ALL
PHYSICAL EVIDENCE SEIZED,
PROCESSED, OR EXAMINED BY
FEDERAL, STATE, AND LOCAL
AGENCIES

With the agreement of the parties, and with the consent of the defendant Joseph Ortiz, the Court enters the following Order:

1. That any law enforcement office or agency, including any laboratory, medical examiner, or coroner, that has conducted examinations or tests of case evidence, involved in the investigation of the above-captioned matter, namely defendants Joseph Ortiz, Victor Flores, Justin Whipple, Benjamin Campos-Gonzalez, Michael Ortiz, Jr., Michael Ortiz, Sr., Armando Acosta, Giovanni Rimando Ascencio, Raymond Hembry, James Hembry, Richard Martinez, Rodrigo Aguayo, Gregorio Guzman, Mario Bergren, Andrew Bryant, Peter Davis, Louis

Rodriguez, Tanya Rodriguez, and Betty Ortiz, shall retain all officers' notes, reports, laboratory/medical examiner/coroner materials and notes, and physical evidence pertinent to the above-captioned matter until further order of the Court;

2. That the United States Attorney's Office shall cause a copy of this Order to be served upon Homeland Security Investigations, South San Francisco Police Department, Daly City Police Department, and other federal, state, and local law enforcement agencies involved in the investigation of the above-captioned matter to the best of their knowledge within twenty one days of it being filed with the clerk of the court;

3. That should any office, agency, agent, or officer object to any portion of this Order, such objection can be brought to the attention of the Court in writing, either through the office of the United States Attorney, or directly by the office, agency, officer, or agent;

4. This stipulation is not a concession by the government, or by any of the governmental agencies, that the notes and other materials to be preserved are subject to discovery or disclosure.

IT IS SO STIPULATED.

Dated: July 23, 2012

/s/
Acadia L. Senese
W.S. Wilson Leung
Assistant United States Attorneys

Dated: July 23, 2012

/s/
Shawn Halbert, Esq.
Edward A. Smock, Esq.
John T. Philipsborn, Esq.
Attorneys for Defendant Joseph Ortiz

Dated: July 23, 2012

/s/
Richard B. Mazer, Esq.
William I. Osterhoudt, Esq.
Attorneys for Defendant Victor Flores

Dated: July 23, 2012

/s/
David L. Andersen, Esq.
Richard A. Tamor, Esq.
Attorneys for Defendant Justin Whipple

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2 Dated: July 23, 2012

/s/

Stuart D. Hanlon, Esq.
Geoffrey Rotwein, Esq.
Attorneys for Defendant Benjamin Campos-Gonzalez

5 Dated: July 23, 2012

/s/

Garrick S. Lew, Esq.
Attorney for Defendant Michael Ortiz, Jr.

7 Dated: July 23, 2012

/s/

Mary G. McNamara, Esq.
Attorney for Defendant Michael Ortiz, Sr.

10 Dated: July 23, 2012

/s/

Linda A. Fullerton, Esq.
Attorney for Defendant Armando Acosta

12 Dated: July 23, 2012

/s/

Kenneth H. Wine, Esq.
Attorney for Defendant Giovanni Rimando Ascencio

15 Dated: July 23, 2012

/s/

Galia A. Phillips
Attorney for Defendant Raymond Hembry

17 Dated: July 23, 2012

/s/

Alan A. Dressler, Esq.
Attorney for Defendant James Hembry

20 Dated: July 23, 2012

/s/

Edwin K. Prather, Esq.
Attorney for Defendant Richard Martinez

22 Dated: July 23, 2012

/s/

Lidia Stiglich, Esq.
Attorney for Defendant Rodrigo Aguayo

25 Dated: July 23, 2012

/s/

Frank Bell, Esq.
Attorney for Defendant Gregorio Guzman

1 Dated: July 23, 2012

/s/
George C. Boisseau, Esq.
Attorney for Defendant Mario Bergren

4 Dated: July 23, 2012

/s/
Paul Wolf, Esq.
Attorney for Defendant Andrew Bryant

6 Dated: July 23, 2012

/s/
Julia M. Jayne, Esq.
Attorney for Defendant Peter Davis

9 Dated: July 23, 2012

/s/
K.C. Maxwell, Esq.
Attorney for Defendant Louis Rodriguez


11 Dated: July 23, 2012

/s/
Robert F. Waggener, Esq.
Attorney for Defendant Tanya Rodriguez

14 Dated: July 23, 2012

/s/
Suzanne M. Morris, Esq.
Attorney for Defendant Betty Ortiz

18 Dated: July 24, 2012

17 IT IS SO ORDERED.

HON. SUSAN ILLSTON
United States District Judge